

REMARKS

This application has been reviewed in light of the Office Actions dated May 29, 2008 and August 17, 2007. Claims 26-35 are presented for examination, of which Claims 26, 33, and 35 are in independent form. Claims 21-26 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. New Claims 26-35 are original claims 1-5, 7, and 9-12 that have been re-added with amendments as per a telephone interview with the Examiner on August 19, 2008. Applicants submit that Claims 26-35 are readable on the previously elected invention and respectfully request reconsideration.

The specification was objected to for the reasons given in paragraphs 3 and 4. Specifically, at paragraph 3 of the Office Action, the Examiner required a new title. The title has been amended to make it more descriptive, as required in the Office Action. In particular, the title has been amended to --METHODS, APPARATUS AND COMPUTER PRODUCTS FOR GENERATING JPEG2000 ENCODED DATA IN A CLIENT--.

At paragraph 4 of the Office Action, the Examiner objected to the specification for not including a CROSS REFERENCE TO RELATED APPLICATIONS section directed to the foreign priority applications. While Applicants have so amended the specification, Applicants note that there is no requirement that foreign priority applications be cross-referenced in the specification. (Only domestic priority applications need be cross-referenced.)

For all the foregoing reasons, it is respectfully requested that the objection to the specification be withdrawn.

At paragraph 5 of the Office Action, Claims 1, 2, 8, 10, and 12 were objected to for various informalities. While cancellation of Claims 1, 2, 8, 10, and 12 renders this objection moot, Applicants note that the new claims have been carefully drafted as deemed necessary, with special attention to the points raised in paragraph 5 of the Office Action.

Claim 12 was rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter. Claim 35 which corresponds to canceled Claim 12 has been amended with special attention to the points raised in paragraph 6 of the Office Action and former claim 13 has been canceled. It is believed that the rejection under Section 101 has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1-13 were rejected under 35 U.S.C. § 112, as being indefinite. While cancellation of Claims 1-13 renders the rejection of those claims moot, Applicants note that the new claims have been carefully drafted as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in paragraph 8 of the Office Action. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1-13 were rejected under 35 U.S.C. § 103(a) as being obvious from *Deshpande* ("HTTP Streaming of JPEG2000 Images" – IEEE, 2001, pages 15-19) in view of *Marcellin* ("JPEG2000: Highly Scalable Image Compression" – IEEE, 2001, pages 268-272).

Claim 26 is directed to an encoded data generation method for generating encoded data in JPEG2000 format, by a client including storage means for storing fragmentary first encoded data of JPEG2000 encoded data managed by a server including a calculation step of calculating second encoded data from the JPEG2000 encoded data managed by the server, where the second encoded data is designated by a user as a portion of the JPEG2000 encoded data and excludes the fragmentary first encoded data stored in the storage means. A request step requests of the server the second encoded data which in turn is acquired and stored. A segmentation step segments the JPEG2000 encoded data managed by the server into a plurality of independent encoded data segments, each segment being a unit of display. A determination step determines, for each independent encoded data segment, whether all layer encoded data of the plurality of independent encoded data segments are stored in the storage means and dummy encoded data is stored in the storage means if the layer encoded data is not stored in the storage means. An output step outputs the dummy encoded data, the second encoded data, and the fragmentary first encoded data stored in the storage means as encoded data having JPEG2000 format.

Deshpande, as understood by Applicants, relates to HTTP streaming of JPEG2000 images using an index file to assist with the streaming. Apparently, the index file is downloaded from a web server to a helper application (JPEG2000 client browser), when a user clicks on a thumbnail or name of an image. The index file, which contains information about the JPEG encoded image as a URL, followed by a main header, tile-part headers and packet header data, by the helper application to send an HTTP request to the web server to stream the lowest resolution version of the JPEG image. According to

Deshpande, the helper application particularly uses the URL information from the index file to form this request using the “byte-ranges” feature of HTTP/1.1. In turn, a streamed lowest resolution version of the JPEG2000 image is decoded and displayed in the JPEG2000 client browser window, which can be interacted with using zoom in/out pan controls through a user interface on the JPEG2000 client browser. The user can mark a region on the image using a mouse. The corresponding byte-ranges are found based on the index file and the appropriate HTTP request is sent to the web server, which in turn causes the server to obtain all the relevant parts of the bit stream corresponding to the region of interest. See *Deshpande*, page 16. As explained in Section 3, on page 17 of *Deshpande*, the index file can be generated to record indexing information by parsing the codestream headers, including the main header, tile-part headers and packet headers to facilitate the retrieval of a particular portion of the codestream.

Marcellin, as understood by Applicants, relates to highly scalable image compression, and in particular to the feature set of the JPEG2000 compression standard and to the algorithm. Apparently, in the case of zero passes from a codeblock, a packet can be constructed as an “empty packet” consisting of a packet header but no packet body.

Marcellin further note that bitplane coding of a codeblock is independent of any other codeblock as is the header coding of a packet in a particular “precinct”.

Applicants have found nothing in *Deshpande* or *Marcellin*, whether considered either separately or in any permissible combination (if any) that would teach, suggest or otherwise result in “...calculating second encoded data from the JPEG2000 encoded data managed by the server, wherein the second encoded data is designated by a

user as a portion of the JPEG2000 encoded data and excludes the fragmentary first encoded data stored in the storage means ,” “...determining, for each independent encoded data segment, whether all layer encoded data of the plurality of independent encoded data segments are stored in the storage means,” “...storing in the storage means dummy encoded data if the layer encoded data is not stored in the storage means” much less “...outputting the dummy encoded data, the second encoded data, and the fragmentary first encoded data stored in the storage means as encoded data having JPEG2000 format,” as recited in Claim 26.

For at least the foregoing reasons, it is submitted that Claim 26 is patentable over *Deshpande* and *Marcellin*, whether considered either separately or in any permissible combination (if any).

Independent Claims 33 and 35 are apparatus and computer-readable medium claims, respectively, corresponding to method Claim 26, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 26.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of

the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

Also in the Office Action, Claims 1-13 were provisionally rejected for obviousness-type double patenting over Claims 1-7, 13-19, 25-30, 37, and 43-45 of U.S. Appln. No. 10/231,206. Applicants note that Appln. No. 10/231,206 has been abandoned. Accordingly, this rejection is moot.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Jonathan Berschadsky/
Jonathan Berschadsky
Attorney for Applicants
Registration No. 46,551

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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